

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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USDC Docket Number : 04-cv-12577

Craig Goulet

v.

New Pen Motor Express, Inc., et al

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**CLERK'S CERTIFICATE**

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered:

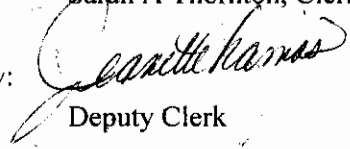
1-100

and contained in Volume(s) I-III are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 10/10/2006.

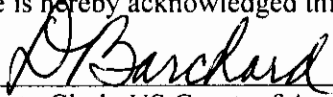
In testimony whereof, I hereunto set my hand and affix the seal of this Court on October 18, 2006.

Sarah A Thornton, Clerk of Court

By:

  
Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 10/19/06.

  
Deputy Clerk, US Court of Appeals

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Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: \_\_\_\_\_

APPEAL

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:04-cv-12577-WGY**

Goulet v. New Penn Motor Express, Inc. et al  
Assigned to: Judge William G. Young  
Cause: 29:185 Labor/Mgt. Relations (Contracts)

Date Filed: 12/09/2004  
Jury Demand: Plaintiff  
Nature of Suit: 720 Labor:  
Labor/Mgt. Relations  
Jurisdiction: Federal Question

**Plaintiff**

**Craig Goulet**

represented by **Scott A. Lathrop**  
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V.

**Defendant**

**New Penn Motor Express, Inc.**

represented by **Carl H. Gluek**  
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**Defendant**

**Teamsters Local 25**  
*International Brotherhood of  
Teamsters*

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Date Filed	#	Docket Text
12/09/2004	<u>1</u>	COMPLAINT against all defendants Filing fee: \$ 150, receipt number 60683, filed by Craig Goulet. (Attachments: # <u>1</u> Civil Cover Sheet)(Abaid, Kim) (Entered: 12/13/2004)
12/09/2004		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Alexander. (Abaid, Kim) (Entered: 12/13/2004)
12/09/2004		Summons Issued as to New Penn Motor Express, Inc., Teamsters Local 25. (Abaid, Kim) (Entered: 12/13/2004)
01/07/2005	<u>2</u>	Assented to MOTION for Extension of Time to File Answer by New Penn Motor Express, Inc..(Klinefeldt, Nicholas) (Entered: 01/07/2005)
01/10/2005	<u>3</u>	Assented to MOTION for Extension of Time to 01/17/2005 to File Answer by Teamsters Local 25.(Pennini, Kathleen) (Entered: 01/10/2005)
01/12/2005		Judge Joseph L. Tauro : ElectronicORDER entered granting <u>2</u> Motion for Extension of Time to Answer New Penn Motor Express, Inc. answer due 1/31/2005; Teamsters Local 25 answer due 1/18/2005., granting <u>3</u> Motion for Extension of Time (Abaid, Kim) (Entered: 01/18/2005)
01/14/2005	<u>4</u>	ANSWER to Complaint by Teamsters Local 25.(Pennini,

		Kathleen) (Entered: 01/14/2005)
01/26/2005	<u>5</u>	NOTICE of Appearance by Frank A. Libby, Jr on behalf of New Penn Motor Express, Inc. (Libby, Frank) (Entered: 01/26/2005)
01/26/2005	<u>6</u>	NOTICE of Appearance by Nicholas A. Klinefeldt on behalf of New Penn Motor Express, Inc. (Klinefeldt, Nicholas) (Entered: 01/26/2005)
01/26/2005	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice by Carl H. Gluek by New Penn Motor Express, Inc.. (Attachments: # <u>1</u> ) (Klinefeldt, Nicholas) (Entered: 01/26/2005)
01/26/2005	<u>8</u>	ANSWER to Complaint by New Penn Motor Express, Inc.. (Klinefeldt, Nicholas) (Entered: 01/26/2005)
01/27/2005	<u>9</u>	Filing fee: \$ 50.00, receipt number 61677 regarding <u>7</u> Motion for Pro Hac Vice (Abaid, Kim) (Entered: 01/28/2005)
01/28/2005	<u>9</u>	Judge Joseph L. Tauro : Electronic ORDER entered granting <u>7</u> Motion for Leave to Appear Pro Hac Vice Added Carl H. Gluek for New Penn Motor Express, Inc. (Abaid, Kim) (Entered: 01/28/2005)
02/03/2005	<u>9</u>	NOTICE of Scheduling Conference Scheduling Conference set for 3/1/2005 11:30 AM in Courtroom 20 before Judge Joseph L. Tauro. (Abaid, Kim) (Entered: 02/08/2005)
02/03/2005	<u>10</u>	Judge Joseph L. Tauro : RULE 26 DISCOVERY ORDER entered. (Abaid, Kim) (Entered: 02/08/2005)
02/10/2005	<u>11</u>	MOTION to Continue Scheduling Conference to A date after March 21, 2005 by Craig Goulet.(Abaid, Kim) (Entered: 02/11/2005)
02/15/2005	<u>9</u>	Judge Joseph L. Tauro : Electronic ORDER entered granting <u>11</u> Motion to Continue, the conference is re-scheduled to March 24,2005 at 10:00 a.m. (Lovett, Zita) (Entered: 02/15/2005)
03/08/2005	<u>12</u>	JOINT PRETRIAL STATEMENT.(Abaid, Kim) (Entered: 03/14/2005)
03/08/2005	<u>13</u>	CERTIFICATE OF CONSULTATION by Scott A. Lathrop on behalf of Craig Goulet. (Abaid, Kim) (Entered: 03/14/2005)
03/15/2005	<u>14</u>	CORPORATE DISCLOSURE STATEMENT by New Penn

		Motor Express, Inc.. (Gluek, Carl) (Entered: 03/15/2005)
03/15/2005	15	CORPORATE DISCLOSURE STATEMENT by New Penn Motor Express, Inc.. (Gluek, Carl) (Entered: 03/15/2005)
03/23/2005		NOTICE by the COURT of Cancellation of scheduling conference for March 24, 2005 at 10:00 a.m. (Lovett, Zita) (Entered: 03/23/2005)
03/29/2005	16	CERTIFICATE OF CONSULTATION by Matthew E. Dwyer on behalf of Teamsters Local 25. (Abaid, Kim) (Entered: 03/29/2005)
04/01/2005		NOTICE by the COURT: A scheduling conference is set for April 19, 2005 at 10:45 a.m. (Lovett, Zita) (Entered: 04/01/2005)
04/19/2005	17	Judge Joseph L. Tauro : ORDER entered re: DISCOVERY. Plaintiffs may serve the interrogatories discussed in open court. The depositions and interrogatories shall be completed by October 31, 2005. No further discovery will be permitted without leave of this court. A Further Conference is scheduled for November 8, 2005 at 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro. (Abaid, Kim) (Entered: 04/19/2005)
06/27/2005	18	MOTION for Extension of Time to July 7, 2005 to File Response/Reply to Plaintiff's First set of Interrogatories by New Penn Motor Express, Inc..(Gluek, Carl) (Entered: 06/27/2005)
07/07/2005		Judge Joseph L. Tauro : Electronic ORDER entered granting 18 Motion for Extension of Time to File Response/Reply re 18 MOTION for Extension of Time to July 7, 2005 to File Response/Reply to Plaintiff's First set of Interrogatories Responses due by 7/7/2005 (Lovett, Zita) (Entered: 07/07/2005)
09/27/2005		NOTICE by the COURT: the conference set for November 8, 2005 is cancelled. It is re-scheduled for November 1, 2005 at 10:30 a.m. (Lovett, Zita) (Entered: 09/27/2005)
10/07/2005	19	First MOTION for Protective Order regarding Plaintiff's Notice of Rule 30(b)(6) deposition and Second Set of Interrogatories to Teamsters Local 25 by Teamsters Local 25. (Attachments: # 1 # 2)(Pennini, Kathleen) (Entered: 10/07/2005)



10/07/2005	<u>20</u>	CERTIFICATE OF CONSULTATION re <u>19</u> First MOTION for Protective Order <i>regarding Plaintiff's Notice of Rule 30(b)(6) deposition and Second Set of Interrogatories to Teamsters Local 25</i> by Kathleen A. Pennini on behalf of Teamsters Local 25. (Pennini, Kathleen) (Entered: 10/07/2005)
10/14/2005	<u>21</u>	Opposition re <u>19</u> First MOTION for Protective Order <i>regarding Plaintiff's Notice of Rule 30(b)(6) deposition and Second Set of Interrogatories to Teamsters Local 25</i> filed by Craig Goulet. (Attachments: # <u>1</u> Exhibit APA Transport Seniority List# <u>2</u> Exhibit Fax from Local 25# <u>3</u> Exhibit Another Seniority List for Canton# <u>4</u> Exhibit Carnes Deposition# <u>5</u> Exhibit Plaintiff's Second Set of Interrogatories# <u>6</u> Exhibit Plaintiff's Notice of 30b6 Deposition# <u>7</u> Exhibit Discovery Conference Documents) (Lathrop, Scott) (Entered: 10/14/2005)
10/17/2005	<u>20</u>	NOTICE by the COURT: a motion hearing (motion protective order) will be held on November 1, 2005 at 12:30 p.m. (Lovett, Zita) (Entered: 10/17/2005)
10/26/2005	<u>22</u>	MOTION to Compel <i>Plaintiff's Execution of an Authorization for the Release of his Social Security Disability File</i> by New Penn Motor Express, Inc..(Gluek, Carl) Modified on 10/27/2005 (Abaid, Kim). Additional attachment(s) added on 10/27/2005 (Abaid, Kim). Modified on 10/27/2005 (Abaid, Kim). (Entered: 10/26/2005)
10/27/2005	<u>20</u>	Notice of correction to docket made by Court staff. Correction: Docket Entry 22 corrected because: Memorandum was filed as an attachment to the motion. Spoke with attorney's office and memorandum is to be filed separately. (Abaid, Kim) (Entered: 10/27/2005)
10/27/2005	<u>23</u>	MEMORANDUM in Support re <u>22</u> MOTION to Compel <i>Plaintiff's Execution of an Authorization for the Release of his Social Security Disability File</i> filed by New Penn Motor Express, Inc.. (Attachments: # <u>1</u> Certificate of Compliance# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Exhibit F)(Gluek, Carl) (Entered: 10/27/2005)
10/28/2005	<u>24</u>	Opposition re <u>22</u> MOTION to Compel <i>Plaintiff's Execution of an Authorization for the Release of his Social Security Disability File</i> filed by Craig Goulet. (Lathrop, Scott) (Entered: 10/28/2005)

11/01/2005	<u>25</u>	Judge Joseph L. Tauro : ORDER entered re: DISCOVERY. Depositions and all remaining discovery must be completed by November 30, 2005. Plaintiff must provide Defendant New Penn Motor Express, Inc with Plaintiff's entire Social Security File by November 30, 2005. Plaintiff must also provide an attached list of documents contained within the Social Security File that he plans to withhold, if any, by November 30, 2005. No further discovery shall be permitted without leave of this court. A Final Pre-Trial Conference will be held on December 14, 2005 at 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro.(Abaid, Kim) (Entered: 11/02/2005)
12/14/2005	<u>26</u>	Judge Joseph L. Tauro : ORDER entered. Defendants may depose the Social Security Administration by January 15, 2006. Defendants may file a Motion for Summary Judgment by January 15, 2006. Plaintiff has until February 14, 2006 to respond to the abovementioned Motion for Summary Judgment. Trial will begin on March 27, 2006 at 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro.(Abaid, Kim) (Entered: 12/15/2005)
01/13/2006	<u>27</u>	MOTION for Summary Judgment by New Penn Motor Express, Inc.. (Attachments: # <u>1</u> Certificate of Compliance with Local Rule 7.1# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Exhibit F# <u>8</u> Exhibit G# <u>9</u> Exhibit H# <u>10</u> Exhibit I# <u>11</u> Exhibit J# <u>12</u> Exhibit K# <u>13</u> Exhibit L# <u>14</u> Exhibit M# <u>15</u> Exhibit N# <u>16</u> Exhibit O# <u>17</u> Exhibit P# <u>18</u> Exhibit Q)(Gluek, Carl) (Entered: 01/13/2006)
01/13/2006	<u>28</u>	MEMORANDUM in Support re <u>27</u> MOTION for Summary Judgment filed by New Penn Motor Express, Inc.. (Gluek, Carl) (Entered: 01/13/2006)
01/13/2006	<u>29</u>	STATEMENT of facts re <u>27</u> MOTION for Summary Judgment / <i>Concise Statement of Material Facts in Support of Motion for Summary Judgment</i> . (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Exhibit L# <u>13</u> Exhibit M# <u>14</u> Exhibit N# <u>15</u> Exhibit O)(Gluek, Carl) (Entered: 01/13/2006)
01/13/2006	<u>30</u>	NOTICE by New Penn Motor Express, Inc. of <i>Filing Deposition Transcript of Plaintiff Craig Goulet</i> (Attachments: # <u>1</u> Deposition Transcript of Pltff Craig Goulet - Part 1# <u>2</u> Deposition Transcript of Pltff Craig Goulet - Part 2)(Gluek,



		Carl) (Entered: 01/13/2006)
01/13/2006	<u>31</u>	First MOTION for Extension of Time to 01/23/2006 to File <i>Motion for Summary Judgment</i> by Teamsters Local 25. (Pennini, Kathleen) (Entered: 01/13/2006)
01/13/2006	<u>32</u>	CERTIFICATE OF CONSULTATION re <u>31</u> First MOTION for Extension of Time to 01/23/2006 to File <i>Motion for Summary Judgment</i> by Kathleen A. Pennini on behalf of Teamsters Local 25. (Pennini, Kathleen) Additional attachment(s) added on 1/17/2006 (Abaid, Kim). (Entered: 01/13/2006)
01/17/2006		NOTICE issued requesting courtesy copy for <u>27</u> MOTION for Summary Judgment, <u>28</u> Memorandum in Support of Motion, <u>29</u> Statement of facts,, <u>30</u> Notice (Other). Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by 1/26/06. <b>These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF.</b> (Abaid, Kim) (Entered: 01/17/2006)
01/17/2006		Notice of correction to docket made by Court staff. Correction: Docket Entry 32 corrected because: Replaced unsigned document with corrected version. (Abaid, Kim) (Entered: 01/17/2006)
01/17/2006	<u>33</u>	NOTICE by New Penn Motor Express, Inc. re <u>30</u> Notice (Other) <i>Amended Notice of Filing Deposition Transcript of Plaintiff Craig Goulet</i> (Attachments: # <u>1</u> Deposition Transcript of Craig Goulet - Part 1# <u>2</u> Deposition Transcript of Craig Goulet - Part 2)(Gluek, Carl) (Entered: 01/17/2006)
01/17/2006	<u>34</u>	Opposition re <u>31</u> First MOTION for Extension of Time to 01/23/2006 to File <i>Motion for Summary Judgment</i> filed by Craig Goulet. (Lathrop, Scott) (Entered: 01/17/2006)
01/19/2006		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>31</u> Motion for Extension of Time to File (Lovett, Zita) (Entered: 01/19/2006)
01/23/2006	<u>35</u>	First MOTION for Summary Judgment by Teamsters Local 25.(Pennini, Kathleen) (Entered: 01/23/2006)
01/23/2006	<u>36</u>	MEMORANDUM in Support re <u>35</u> First MOTION for Summary Judgment filed by Teamsters Local 25. (Attachments: # <u>1</u> Exhibit Paul Dubiel deposition# <u>2</u> Exhibit

		Local 25's Presentation Brief in Case 87-404# <u>3</u> Exhibit APA's Presentation Brief in 87-404# <u>4</u> Exhibit March 12, 1987 letter# <u>5</u> Exhibit APA Point of Order in Case 87-404# <u>6</u> Exhibit Southern New England Joint Area Committee decision# <u>7</u> Exhibit November 2001 seniority list# <u>8</u> Exhibit Burton Trebour Affidavit# <u>9</u> Exhibit G. Douglas Francey deposition# <u>10</u> Exhibit TNFINC/New Penn Agreement# <u>11</u> Exhibit February 14, 2002 letter# <u>12</u> Exhibit seniority list, 1st half# <u>13</u> Exhibit Seniority list, 2nd half# <u>14</u> Exhibit grievance# <u>15</u> Exhibit William Carnes deposition# <u>16</u> Exhibit July 23, 2003 letter# <u>17</u> Exhibit New Penn Interrogatories)(Pennini, Kathleen) (Entered: 01/23/2006)
01/23/2006	<u>37</u>	STATEMENT of facts re <u>35</u> First MOTION for Summary Judgment. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Exhibit # <u>9</u> Exhibit # <u>10</u> Exhibit # <u>11</u> Exhibit # <u>12</u> Exhibit 1st half of Exhibit 14# <u>13</u> Exhibit 2nd half of Exhibit 14# <u>14</u> Exhibit # <u>15</u> Exhibit # <u>16</u> Exhibit # <u>17</u> Exhibit)(Pennini, Kathleen) (Entered: 01/23/2006)
01/24/2006		Judge Joseph L. Tauro : Electronic ORDER entered <u>35</u> Motion for Summary Judgment is DENIED WITHOUT PREJUDICE to re-filing with Certification Pursuant to Local Rule 7.1(a)(2). (Abaid, Kim) (Entered: 01/24/2006)
01/24/2006	<u>38</u>	MOTION for Summary Judgment by Teamsters Local 25. (Pennini, Kathleen) (Entered: 01/24/2006)
01/24/2006	<u>39</u>	CERTIFICATE OF CONSULTATION re <u>38</u> MOTION for Summary Judgment by Kathleen A. Pennini on behalf of Teamsters Local 25. (Pennini, Kathleen) (Entered: 01/24/2006)
01/24/2006	<u>40</u>	EXHIBIT re <u>36</u> Memorandum in Support of Motion,,,, <u>37</u> Statement of facts, by Teamsters Local 25. (Attachments: # <u>1</u> Exhibit 1, Craig Goulet Deposition, part 1# <u>2</u> Exhibit 1, Craig Goulet Deposition, part 2# <u>3</u> Exhibit Craig Goulet Deposition, errata sheets# <u>4</u> Exhibit 3, Mark Harrington deposition, part 1# <u>5</u> Exhibit 3, Mark Harrington Deposition, part 2)(Pennini, Kathleen) (Entered: 01/24/2006)
02/10/2006	<u>41</u>	Opposition re <u>27</u> MOTION for Summary Judgment of <i>Defendant New Penn</i> filed by Craig Goulet. (Lathrop, Scott) (Entered: 02/10/2006)
02/10/2006	<u>42</u>	STATEMENT of facts <i>disputing New Penn</i> . (Lathrop, Scott)

		(Entered: 02/10/2006)
02/10/2006	<u>43</u>	Opposition re <u>38</u> MOTION for Summary Judgment of <i>Teamsters Local 25</i> filed by Craig Goulet. (Lathrop, Scott) (Entered: 02/10/2006)
02/10/2006	<u>44</u>	STATEMENT of facts <i>disputed</i> - <i>Teamsters Local 25</i> . (Lathrop, Scott) (Entered: 02/10/2006)
02/10/2006	<u>45</u>	EXHIBIT <i>Appendix to Plaintiff's Opposition to Defendants' Motions for Summary Judgment</i> by Craig Goulet. (Attachments: # <u>1</u> Exhibit 1 Goulet Deposition# <u>2</u> Exhibit 2 - Goulet Errata# <u>3</u> Exhibit 3 - Dubiel Deposition# <u>4</u> Exhibit 4 - Dubiel Deposition# <u>5</u> Exhibit 5 - Carnes Deposition# <u>6</u> Exhibit 6 - Harrington Deposition# <u>7</u> Exhibit 7 - Canton Seniority List# <u>8</u> Exhibit 8 - Francey Deposition# <u>9</u> Exhibit 9 - Teamsters & New Penn Agreement# <u>10</u> Exhibit 10 - Francey's Preference List# <u>11</u> Exhibit 11 - Teamsters Deposition# <u>12</u> Exhibit 12 - McLaughlin Fax# <u>13</u> Exhibit 13 - Cashman Letter to Schmidt# <u>14</u> Exhibit 14 - New Penn Call List# <u>15</u> Exhibit 15 - New Penn Answers to Interrogatories# <u>16</u> Exhibit 16 - Goulet Grievance# <u>17</u> Exhibit 17 - Cashman Letter to Zaccaria# <u>18</u> Exhibit 18 - Goulet Letter to Harrington# <u>19</u> Exhibit 19 - SENE Joint Area Committee Pre-Hearing Information# <u>20</u> Exhibit 20 - Harrington Submission# <u>21</u> Exhibit 21 - Hearing Transcript# <u>22</u> Exhibit 22 - New Penn Decision# <u>23</u> Exhibit 23 - National Master Freight Agreement# <u>24</u> Exhibit 24 - Trebour Affidavit# <u>25</u> Exhibit 25 - Decision of Social Security Administration, dated August 21, 1995# <u>26</u> Exhibit 26 - Consultative Examination Report of Stephan Simonian, M.D., dated May 2, 2003)(Lathrop, Scott) (Entered: 02/10/2006)
02/10/2006	<u>46</u>	MOTION to Strike <i>Affidavit of Burton Trebour</i> by Craig Goulet. (Attachments: # <u>1</u> Exhibit 1 - Trebour Affidavit# <u>2</u> Exhibit 2 - Teamsters Automatic Disclosures# <u>3</u> Exhibit 3 - Teamsters Response to Plaintiff's First Set of Interrogatories) (Lathrop, Scott) (Entered: 02/10/2006)
02/13/2006		Judge Joseph L. Tauro : Electronic ORDER entered <u>46</u> Motion to Strike Affidavit is DENIED WITHOUT PREJUDICE to re-filing with certification pursuant to Local Rule 7.1(a)(2). (Abaid, Kim) (Entered: 02/13/2006)
02/13/2006	<u>47</u>	MOTION to Strike <i>Affidavit of Burton Trebour</i> by Craig

		Goulet. (Attachments: # <u>1</u> Exhibit 1 - Trebour Affidavit# <u>2</u> Exhibit Ex. 2 - Teamsters Automatic Disclosures# <u>3</u> Exhibit Ex. 3 - Teamsters Response to Plaintiff's First Set of Interrogatories)(Lathrop, Scott) (Entered: 02/13/2006)
02/13/2006	<u>48</u>	CERTIFICATE OF CONSULTATION - <i>Compliance with Local Rule 7.1</i> by Scott A. Lathrop on behalf of Craig Goulet, Craig Goulet by on behalf of Craig Goulet, Craig Goulet. (Lathrop, Scott) (Entered: 02/13/2006)
02/13/2006	<u>49</u>	EXHIBIT re <u>36</u> Memorandum in Support of Motion,,,, <u>37</u> Statement of facts, by Teamsters Local 25. (Attachments: # <u>1</u> Exhibit #10 (affidavit of Burton Trebour))(Pennini, Kathleen) (Entered: 02/13/2006)
02/16/2006	<u>50</u>	MOTION to Withdraw as Attorney by New Penn Motor Express, Inc..(Klinefeldt, Nicholas) (Entered: 02/16/2006)
02/17/2006		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>50</u> Motion to Withdraw as Attorney. (Abaid, Kim) (Entered: 02/21/2006)
02/23/2006	<u>51</u>	MOTION for Leave to File <i>Reply in Support of Summary Judgment Instanter</i> by New Penn Motor Express, Inc.. (Attachments: # <u>1</u> Reply in Support of Motion for Summary Judgment# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Certification of Compliance with Local Rule 7.1)(Gluek, Carl) (Entered: 02/23/2006)
02/24/2006	<u>52</u>	MOTION for Leave to File <i>to File Reply Brief</i> by Teamsters Local 25.(Pennini, Kathleen) (Entered: 02/24/2006)
02/24/2006	<u>53</u>	REPLY to Response to Motion re <u>52</u> MOTION for Leave to File <i>to File Reply Brief to Plaintiff's Opposition to Motion for Summary Judgment</i> filed by Teamsters Local 25. (Attachments: # <u>1</u> Exhibit 1, Rule 30(b)(6) deposition# <u>2</u> Exhibit 3, Local 25's Reponses to Interrogatories# <u>3</u> Exhibit 3, TNFINC/New Penn Agreement# <u>4</u> Exhibit 5, Francey Deposition# <u>5</u> Exhibit 6, WARN letter# <u>6</u> Exhibit Carnes depo# <u>7</u> Exhibit 7. hearing transcript)(Pennini, Kathleen) (Entered: 02/24/2006)
02/24/2006	<u>54</u>	CERTIFICATE OF CONSULTATION re <u>52</u> MOTION for Leave to File <i>to File Reply Brief</i> by Kathleen A. Pennini on behalf of Teamsters Local 25. (Pennini, Kathleen) (Entered: 02/24/2006)



02/27/2006	●	Judge Joseph L. Tauro : Electronic ORDER entered granting <u>52</u> Motion for Leave to File Reply in Response. (Abaid, Kim) (Entered: 02/28/2006)
02/28/2006	● <u>55</u>	MEMORANDUM in Opposition re <u>47</u> MOTION to Strike Affidavit of Burton Trebour filed by Teamsters Local 25. (Attachments: # <u>1</u> Exhibit 1, excerpts Harrington deposition) (Pennini, Kathleen) (Entered: 02/28/2006)
03/01/2006	● <u>56</u>	MOTION for Leave to File <i>Reply Memorandum in Support of Motion to Strike Affidavit along with Rule 7.1 Certification</i> by Craig Goulet. (Attachments: # <u>1</u> Exhibit Reply Memorandum) (Lathrop, Scott) (Entered: 03/01/2006)
03/01/2006	● <u>57</u>	MOTION for Leave to File <i>Sur-Reply in Opposition to Local 25's Motion for Summary Judgment along with Local Rule 7.1 Certification</i> by Craig Goulet. (Attachments: # <u>1</u> Exhibit Plaintiff's Sur-Reply in Opposition to Local 25's Motion for Summary Judgment)(Lathrop, Scott) (Entered: 03/01/2006)
03/01/2006	● <u>58</u>	Opposition re <u>51</u> MOTION for Leave to File <i>Reply in Support of Summary Judgment Instanter</i> filed by Craig Goulet. (Attachments: # <u>1</u> Exhibit Plaintiff's Sur-Reply in Opposition to New Penn's Reply in Support of its Motion for Summary Judgment)(Lathrop, Scott) (Entered: 03/01/2006)
03/02/2006	●	Judge Joseph L. Tauro : Electronic ORDER entered granting <u>51</u> Motion for Leave to File Reply (Abaid, Kim) (Entered: 03/06/2006)
03/06/2006	●	Notice Resetting or Cancelling Hearing. Hearing cancelled: trial scheduled for March 27, 2006: re-scheduled for: to be advised. (Lovett, Zita) (Entered: 03/06/2006)
03/08/2006	●	Notice Resetting or Cancelling Hearing. Hearing cancelled: Trial, 3/27/2006 to: to be advised. (Lovett, Zita) (Entered: 03/08/2006)
03/16/2006	●	Judge Joseph L. Tauro : Electronic ORDER entered denying <u>38</u> Motion for Summary Judgment, granting <u>47</u> Motion to Strike Affidavit, denying <u>27</u> Motion for Summary Judgment (Abaid, Kim) (Entered: 03/16/2006)
03/17/2006	● <u>59</u>	NOTICE of Appearance by Sharon Lahey on behalf of New Penn Motor Express, Inc. (Lahey, Sharon) (Entered: 03/17/2006)



06/12/2006	<u>60</u>	Judge Joseph L. Tauro : ORDER entered. ORDER REASSIGNING CASE. Case reassigned to Judge William G. Young for all further proceedings. Judge Joseph L. Tauro no longer assigned to case(Abaid, Kim) (Entered: 06/12/2006)
06/12/2006	<u>61</u>	ELECTRONIC NOTICE of Hearing : Final Pretrial Conference set for 6/14/2006 02:00 PM in Courtroom 18 before Judge William G. Young. Jury Trial set for 6/19/2006 09:00 AM in Courtroom 18 before Judge William G. Young. (Smith, Bonnie) (Entered: 06/12/2006)
06/14/2006	<u>61</u>	Emergency MOTION to Continue Trial Date by Teamsters Local 25.(Pennini, Kathleen) (Entered: 06/14/2006)
06/14/2006	<u>62</u>	CERTIFICATE OF CONSULTATION re <u>61</u> Emergency MOTION to Continue Trial Date by Kathleen A. Pennini on behalf of Teamsters Local 25. (Pennini, Kathleen) (Entered: 06/14/2006)
06/14/2006	<u>63</u>	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Final Pretrial Conference held on 6/14/2006.Court inquires as to settlement. Motion to Continue Trial is Denied. Jury trial--5 days.Case to empanel Mon June 19 if the case preceding this case settles. Otherwise, the case may empanel before a Magistrate Judge June 26. The trial days available are June 19, 20,21,29,30, July 5,6,7. The Court will attempt to get the case to trial during these times. Court encourages counsel to settle the case. Court explains procedures for marking exhibits and jury selection as well as time limits. (Smith, Bonnie) (Entered: 06/14/2006)
06/14/2006	<u>63</u>	TRIAL BRIEF by Craig Goulet. (Lathrop, Scott) (Entered: 06/14/2006)
06/14/2006	<u>64</u>	<i>Plaintiff's</i> Witness List by Craig Goulet. (Lathrop, Scott) (Entered: 06/14/2006)
06/14/2006	<u>65</u>	Proposed Voir Dire by Craig Goulet. (Lathrop, Scott) (Entered: 06/14/2006)
06/14/2006	<u>66</u>	MOTION in Limine by Craig Goulet. (Attachments: # <u>1</u> Exhibit 1- Discovery Order# <u>2</u> Exhibit 2 - Teamsters Automatic Disclosures# <u>3</u> Exhibit 3 - Teamsters Response to Plaintiff's First Set of Interrogatories# <u>4</u> Exhibit 4 - J. Tauro Order)(Lathrop, Scott) (Entered: 06/14/2006)
06/14/2006	<u>67</u>	Second MOTION in Limine by Craig Goulet. (Attachments: #

		<u>1</u> Exhibit 1 - Discovery Order# <u>2</u> Exhibit 2- New Penn Automatic Disclosures# <u>3</u> Exhibit 3 - New Penn Response to Plaintiff's First Set of Interrogatories# <u>4</u> Exhibit 4 - J. Tauro Order)(Lathrop, Scott) (Entered: 06/14/2006)
06/15/2006	<u>68</u>	TRIAL BRIEF - <i>Corrected</i> by Craig Goulet. (Lathrop, Scott) (Entered: 06/15/2006)
06/16/2006	<u>69</u>	MEMORANDUM in Opposition re <u>67</u> Second MOTION in Limine filed by New Penn Motor Express, Inc.. (Gluek, Carl) (Entered: 06/16/2006)
06/16/2006	<u>70</u>	Proposed Jury Instructions by New Penn Motor Express, Inc.. (Gluek, Carl) (Entered: 06/16/2006)
06/16/2006	<u>71</u>	Witness List of <i>Anticipated Witnesses</i> by New Penn Motor Express, Inc.. (Gluek, Carl) (Entered: 06/16/2006)
06/16/2006	<u>72</u>	<i>Joint Trial</i> Exhibit List by Teamsters Local 25.. (Pennini, Kathleen) (Entered: 06/16/2006)
06/16/2006	<u>73</u>	MOTION in Limine <i>Regarding Testimony of Plaintiff</i> by New Penn Motor Express, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Gluek, Carl) (Entered: 06/16/2006)
06/16/2006	<u>74</u>	MEMORANDUM in Support re <u>73</u> MOTION in Limine <i>Regarding Testimony of Plaintiff</i> filed by New Penn Motor Express, Inc.. (Gluek, Carl) (Entered: 06/16/2006)
06/17/2006	<u>75</u>	Witness List by Teamsters Local 25. (Pennini, Kathleen) (Entered: 06/17/2006)
06/17/2006	<u>76</u>	MOTION in Limine <i>to Exclude Plaintiff's Errata Sheet</i> by Teamsters Local 25.(Pennini, Kathleen) (Entered: 06/17/2006)
06/17/2006	<u>77</u>	MEMORANDUM in Support re <u>76</u> MOTION in Limine <i>to Exclude Plaintiff's Errata Sheet</i> filed by Teamsters Local 25. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2 (1st part)# <u>3</u> Exhibit 2 (second part)# <u>4</u> Exhibit 3)(Pennini, Kathleen) (Entered: 06/17/2006)
06/19/2006	<u>78</u>	Proposed Voir Dire by Teamsters Local 25. (Pennini, Kathleen) (Entered: 06/19/2006)
06/19/2006	<u>79</u>	Opposition re <u>66</u> MOTION in Limine filed by Teamsters Local 25. (Attachments: # <u>1</u> Exhibit 1)(Pennini, Kathleen) (Entered: 06/19/2006)
	<u>80</u>	

06/19/2006		ElectronicClerk's Notes for proceedings held before Judge William G. Young : Jury Trial Day 1 held on 6/19/2006. Sequestration Order issued. Jury of 12 selected and Sworn. Court gives pretrial charge. Opening remarks by plaintiff and defendants. Plaintiff's evidence commences. (Court Reporter Womack.) (Smith, Bonnie) (Entered: 06/19/2006)
06/19/2006	<a href="#"><u>80</u></a>	Proposed Jury Instructions by Craig Goulet. (Lathrop, Scott) (Entered: 06/19/2006)
06/20/2006	<a href="#"><u>81</u></a>	MOTION in Limine by Teamsters Local 25.(Pennini, Kathleen) (Entered: 06/20/2006)
06/20/2006	<a href="#"><u>82</u></a>	Proposed Jury Verdict by Craig Goulet. (Lathrop, Scott) (Entered: 06/20/2006)
06/20/2006	<a href="#"><u>83</u></a>	Second Proposed Jury Instructions by Craig Goulet. (Lathrop, Scott) (Entered: 06/20/2006)
06/20/2006	<a href="#"><u>84</u></a>	Proposed Jury Questions by New Penn Motor Express, Inc.. (Gluek, Carl) (Entered: 06/20/2006)
06/20/2006	<a href="#"><u>85</u></a>	AFFIDAVIT of Burton Trebour by Teamsters Local 25. (Attachments: # <u>1</u> Affidavit Trbour's unavailability for trial) (Pennini, Kathleen) (Entered: 06/20/2006)
06/20/2006	<a href="#"><u>86</u></a>	TRIAL BRIEF by Teamsters Local 25. (Pennini, Kathleen) (Entered: 06/20/2006)
06/20/2006	<a href="#"><u>87</u></a>	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Jury Trial Day 2 held on 6/20/2006. Plaintiff's evidence continues. Plaintiff RESts. Defendants Move orally for Directed Verdict. A hearing on Motions to be held at 8:45 AM 6/21/06. (Court Reporter Womack.) (Smith, Bonnie) (Entered: 06/21/2006)
06/20/2006	<a href="#"><u>88</u></a>	Remark: Juror excused. Trial proceeds with 11 jurors. (Smith, Bonnie) (Entered: 06/21/2006)
06/21/2006	<a href="#"><u>87</u></a>	Proposed Jury Instructions by Teamsters Local 25. (Pennini, Kathleen) (Entered: 06/21/2006)
06/21/2006	<a href="#"><u>88</u></a>	MOTION to Amend <u>4</u> Answer to Complaint <i>to conform to the evidence</i> by Teamsters Local 25.(Pennini, Kathleen) (Entered: 06/21/2006)
06/21/2006	<a href="#"><u>89</u></a>	Proposed Jury Verdict by Teamsters Local 25. (Pennini, Kathleen) (Entered: 06/21/2006)



06/21/2006	●	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Jury Trial Day 3 completed on 6/21/2006. Hearing out of presence of the jury re: oral motions for Directed Verdict. After hearing the Court Allows the motion as to New Penn Motor.and Denies as to Local 25. Court holds Charge conference.Jury trial continues. Defendant Rests. Court charges the jury as to the law. Closing arguments by counsel. Jury commences deliberations. Jury question # asked and answered. Jury returns verdict for the defendant Local 25. (Court Reporter Womack.) (Smith, Bonnie) (Entered: 06/21/2006)
06/21/2006	90	Exhibit and Witness List. (Paine, Matthew) (Entered: 06/21/2006)
06/21/2006	91	JURY VERDICT in favor of Defendant, Teamsters Local 25. (Paine, Matthew) (Entered: 06/21/2006)
06/21/2006	92	Judge William G. Young : ORDER entered. JUDGMENT in favor of Defendant. (Paine, Matthew) (Entered: 06/21/2006)
07/02/2006	93	MOTION for New Trial by Craig Goulet.(Lathrop, Scott) (Entered: 07/02/2006)
07/02/2006	94	MEMORANDUM in Support re 93 MOTION for New Trial filed by Craig Goulet. (Lathrop, Scott) (Entered: 07/02/2006)
07/12/2006	●	ELECTRONIC NOTICE of Hearing on Motion 93 MOTION for New Trial: Motion Hearing set for 9/14/2006 02:00 PM before Judge William G. Young. Opposition is due by 7/17/06. Reply, if any, is due by 7/26/06. cc/cl(Smith, Bonnie) (Entered: 07/12/2006)
07/12/2006	95	MEMORANDUM in Opposition re 93 MOTION for New Trial filed by Teamsters Local 25. (Dwyer, Matthew) (Entered: 07/12/2006)
07/17/2006	96	MEMORANDUM in Opposition re 93 MOTION for New Trial filed by New Penn Motor Express, Inc.. (Gluek, Carl) (Entered: 07/17/2006)
07/26/2006	97	REPLY to Response to Motion re 93 MOTION for New Trial filed by Craig Goulet. (Lathrop, Scott) (Entered: 07/26/2006)
09/07/2006	98	MOTION to Withdraw <i>as Counsel for Local 25</i> by Teamsters Local 25.(Pennini, Kathleen) (Entered: 09/07/2006)
09/14/2006	●	ElectronicClerk's Notes for proceedings held before Judge

		William G. Young : Motion Hearing held on 9/14/2006 re <u>93</u> MOTION for New Trial filed by Craig Goulet,,AFTER HEARING, THE MOTION IS DENIED. Motions terminated: <u>93</u> MOTION for New Trial filed by Craig Goulet,. (Court Reporter Womack.) (Smith, Bonnie) (Entered: 09/15/2006)
09/22/2006	<u>99</u>	NOTICE of Appearance by Michael A. Feinberg on behalf of Teamsters Local 25 (Feinberg, Michael) (Entered: 09/22/2006)
09/26/2006	<u>9</u>	Judge William G. Young : Electronic ORDER entered GRANTING <u>98</u> MOTION to Withdraw as Counsel for Local 25 (Paine, Matthew) (Entered: 09/26/2006)
10/10/2006	<u>100</u>	NOTICE OF APPEAL by Craig Goulet. \$ 455 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed and submitted to the Court of Appeals. Appeal Record due by 10/30/2006. (Lathrop, Scott) (Entered: 10/10/2006)